IN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

NOHARA et al. Atty. Ref.: 4105-24

Serial No. 10/659,425 TC/A.U.: 2121

Filed: September 11, 2003 Examiner:

For: MODULATING APPARATUS, TRANSMITTING APPARATUS AND

COMPUTER PROGRAM PRODUCT

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May 13, 2005

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Attention is invited to the attached copy of a European Search Report mailed February 23, 2005 in the counterpart European application and a copy of each document cited in it. A completed Form PTO-1449 is also attached.

Official citation and consideration of all the attached documents is requested. Please return to the undersigned a copy of the attached PTO-1449 with the examiner's initials in the left column [MPEP §609] with the next communication.

I hereby certify that each item of information contained herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months from the filing date of this statement [see 37 C.F.R. § 1.97(e) (1)].

The filing of an Information Disclosure Statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability [37 C.F.R. § 1.97(g) & (h)] or that no other material information exists.

The Commissioner is hereby authorized to charge our Deposit Account No. 14-1140 for any fees required in connection with the filing of this Information Disclosure Statement.

NOHARA et al. Serial No. 10/659,425

Respectfully submitted,

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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Date Considered

*Examiner